

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **ANDERSON et al.**

Docket No.

**PG3786USW**

Serial No.

**10/089,760**

Filing Date

Examiner

Group Art Unit

Invention:

**MEDICAMENT DELIVERY SYSTEM****RECEIVED****JUL 02 2002****Technology Center 2600**

I hereby certify that this **PCT Response to Notification of Missing Requirements and Corresponding Documents**  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on **6-12-02**  
*(Date)*

**Ban Younan***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV022027141US***(Express Mail Tracking Label Number)*

**Note: Each paper must have its own certificate of mailing.**

# PCT

Docket No.: PG3786USw  
In re: ANDERSON, et. al.  
US National Application No.: 10/089,760  
US National Filing Date:  
International Application No.: PCT/EP00/09291  
International Filing Date: 09/22/2000

PCT Notice of Missing Requirements mailed: 05/21/2002  
Title: MEDICAMENT DELIVERY SYSTEM

Commissioner for Patents  
BOX PCT  
Washington, DC 20231  
Attn: DO/EO/US

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## PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US

Sirs:

In response to the PCT Notification of Missing Requirements under 35 USC 371 in the DO/EO/US and mailed to us on 05/21/2002, we submit the following response.

- Copy of Form PCT/DO/EO/905
- Copy of 2<sup>nd</sup> transmission under 35 USC 371 with signed declarations for each inventor and with a copy of post card and express mail receipt sent to PCT/DO/EO/US on 04/02/2002

Please charge our deposit account 07-1392 for all required fees taking note that we have already paid the \$130.00 for late declarations when we filed our 2<sup>nd</sup> transmission under 35 USC 371..

Respectfully submitted,

Date: 10 June 2002

James P. RIEK  
Attorney of Record 39,009  
GlaxoSmithKline.  
Corporate Intellectual Property Department  
Five Moore Drive, PO Box 13398  
Research Triangle Park, NC 27709  
Telephone: 919-483-2370  
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Express Mail No.:  
EV022027141US



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PC1  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/089,760	FIRST NAMED APPLICANT Gregor John McLennan Anderson	ATTY. DOCKET NO. PG3786USW
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23347  
DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY  
GLAXOSMITHKLINE  
FIVE MOORE DR.  
PO BOX 13398  
DURHAM, NC 27709-3398

INTERNATIONAL APPLICATION NO. PCT/EP00/09291	
I.A. FILING DATE 09/22/2000	PRIORITY DATE 10/01/1999

CONFIRMATION NO. 2885  
371 FORMALITIES LETTER

\*OC00000008151654\*

Date Mailed: 05/21/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

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MAY 28 2002

Global Intellectual Property

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Express Mail No.:  
EV022027141US

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 305-5483

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,760	PCT/EP00/09291	PG3786USW

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

PGS/86USW

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

INTERNATIONAL APPLICATION NO.  
PCT/EP00/09291INTERNATIONAL FILING DATE  
22 September 2000PRIORITY DATE CLAIMED  
01 October 1999

## TITLE OF INVENTION

MEDICAMENT DELIVERY SYSTEM

## APPLICANT(S) FOR DO/EO/US

ANDERSON, Gregor John McLennan; BONNEY, Stanley George; JONES, Anthony Patrick; ROBERTSON, Duncan

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). *Anderson, Bonney, Jones, Robertson*
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

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## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☐ Other items or information:

24. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :**

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$18.00	\$0.00
Independent claims	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00
<b>SUBTOTAL =</b>				\$130.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$130.00

**CALCULATIONS PTO USE ONLY**

06/ 9/2002 MKAYPAGH 00000022 071392 10089760

01 C:154 130.00 CH

**Amount to be:**

**refunded** \$

**charged** \$

a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.


b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392 A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



23347

PATENT TRADEMARK OFFICE

SIGNATURE \_\_\_\_\_

James P. Riek

NAME \_\_\_\_\_

39,009

REGISTRATION NUMBER \_\_\_\_\_

2 April 2002

DATE \_\_\_\_\_